IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.80 OF 2003
IN
LETTERS PATENT APPEAL ST.NO.40142 OF 2002
IN
WRIT PETITION NO.4728 OF 2001

The Chairman,
Modern Education Society,
Kolhapur & anr. .. Applicants

v/s.

Shri Ashok Pandurang Kale
& ors. .. Respondents

Mr.A.V.Bukhari i/by Mr.M.S.Topkar for the applicants.

Ms.Ranjana Todankar i/by Mr.S.S.Pakale for respondent No.1.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 26th April, 2005

P.C.

Heard Mr.A.V.Bukhari, the learned counsel for the applicants-appellants and Ms.Ranjana Todankar, the learned counsel for respondent No.1. Nobody appears for respondent Nos.2 and 3.

2. For the reasons stated in the civil application, we are satisfied that the applicants were prevented by sufficient cause in filing the Letters Patent Appeal in time. Delay of 58 days is sufficiently explained. As a matter of fact, the learned counsel for respondent No.1 has no objection if delay is condoned.

3. We, accordingly, condone the delay in filing the appeal.

4. Office is directed to process the Letters Patent Appeal and post it for admission if it does not suffer from any other objection.

7. Civil application stands disposed of.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)